

OUTGOING TELEGRAM

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PARIS PASS USCINCEUR LIVE OAK THURSTON AND WEST

Your 2461 and 2498. Our 2748

Berlin Contingency Planning

Following are Department's comments and instructions on Embassies' recommendations re identification and checkpoint procedures:

1. There is still some reluctance here about withdrawing US reservation on compliance, as a last resort and under protest, with unacceptable GDR demands in order to extricate movement from Soviet Zone. Principal objections are that decision as to what was QUOTE last resort UNQUOTE situation, if not carefully defined, might be taken by individual concerned too quickly. QUOTE last resort UNQUOTE compliance could easily becloud situation which we might want showdown. Provision that, following such QUOTE last resort UNQUOTE compliance, tripartite consideration should be given to making probe or probes to determine whether Soviets prepared use or permit use of force to prevent passage of Allied movement goes good part of way

EUR:GER:GPA:TDM:Kiernan:jog 5/14

Telegraphic transmission and classification approved by: PM EUR - Foy D. Kohler

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L/EUR - Mr. Wehmeyer (in draft)
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S/P - Mr. Owen (in draft)

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toward meeting this objection. We believe we could lift reservation if instructions formulated more specifically to assure compliance was in fact QUOTE last resort UNQUOTE. Therefore, unless USCINCEUR believes it undesirable or impractical, request Embassy seek amendment of recommendations (a) to provide for minimum waiting period, e.g. 48 hours, before compliance and (b) to spell out in more detail for each type of travel what steps would be exhausted before compliance, bearing in mind difficulties involved in imposing rigid requirements on personnel and dependents traveling by privately owned vehicles.

2. Re procedure in non-agency situation, we recognize second alternative (identification by marking vehicles only) has theoretical advantage but question whether we could, from point of view public opinion, face access showdown on basis our refusal do more. First alternative (handing over duplicate, prestamped copies of movement orders at each checkpoint) should suffice satisfy public opinion we are making reasonable effort adapt to new situation but it is at same time sufficiently different from procedures now followed for us to maintain convincingly we have not accepted substitution of GDR for USSR. We would of course put ^{our} ~~our~~ own interpretation on new procedures in public statement to be made when Soviet withdrawal appears imminent. Therefore request Embassy confirm US concurs with UK and France first alternative should be followed.

3. Original suggestion (Department's G-452 to Bonn) was that movement orders be prepared for each movement (i.e. train, convoy or vehicle)

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rather than for each individual traveler and we continue to believe that, on balance, identification of movement only offers advantages of minimizing contact with GDR checkpoint personnel and making it more difficult for latter look behind movement order in attempt assert what travelers are and what ones are not entitled to pass. Furthermore identification of movement rather than individual would be one feature distinguishing new procedure from that now followed. On other hand we recognize issuance of movement orders to individuals would not compromise our basic position, for Allied authorities would be identifying individual and themselves ^{determining} ~~determining~~ he is entitled to unrestricted passage. Not clear to us why Embassies have raised this point only in connection with trains, for there seems be no reason why we should identify individual travelers on trains but not in Autobahn movements. Believe this question can best be resolved by further discussion among Embassies. We are prepared support whatever recommendation Embassies make, whether that movement order be for movement as whole only, that movement order be for movement as whole but with list of travelers attached, ^{be prepared} or that individual movement order ^{be prepared} for each traveler. Therefore request Embassy continue discussions in attempt reach agreed tripartite recommendation applicable uniformly to all types travel.

Following are replies to other questions raised your 2461 about suggestion Department's G-452 (now first alternative for non-agency situation):

4. Since purpose of movement order is establish identity to East German personnel, German language should be added.

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5. If GDR and Soviet Union should eventually make declarations on Allied access proposed in interim Berlin solution described paragraph 2 C Berlin section Working Group Report as approved April 30, we believe we could regard resulting situation as comparable for contingency planning ^{purposes} ~~purposes~~ with agency situation. Essence of this proposal is continuation of existing surface access procedures. Suggestion in G-452 was meant, as Embassy have taken it, to apply only if Soviets both refuse Western proposals on interim Berlin solution and refuse acknowledge GDR checkpoint personnel as agents.
6. While stamping of movement orders not essential, it might forestall insistence on stamping by GDR checkpoint personnel and would also be inexpensive way of attempting meet probable GDR insistence on conspicuous formalities.
7. We doubt GDR's keeping file of our personnel moving to and from Berlin does any harm in itself. Soviets now record data re all personnel moving via Autobahn.

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